



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
March 4, 2014

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
VACANT, District III
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Scott Moulder, County Attorney Thomas Martin and Clerk to Council Elizabeth G. Hulse present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition it was made available *[upon request]* to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Ray Chandler/Anderson Independent, Dick Mangrum – WGOG Radio & Norman Cannada/The Daily Journal.

Call to Order:

Mr. Thrift called the meeting to order at 6:00 p.m.

Public Comment Session (related to specific agenda items):

None at this meeting.

Public Comment Session (related to non-agenda items):

Mr. B. J. Littleton voiced his opposition to the county filing an appeal in Case 2012-CP-37-645; McMahan et al. v Oconee County.

County Council Response to Public Comment:

None at this meeting.

Pledge of Allegiance:

Mr. Thrift called upon a citizen, Mr. Frankie Pearson, to lead the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes:

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve the minutes from the February 18, 2014 regular meeting as presented.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0 to approve the minutes from the February 20, 2014 strategic planning meeting as presented.

Presentations to Council:

County Wide Sunday Alcohol Sales

Mr. Dick Cottingham, Representative of the Oconee County Chamber of Commerce Task Force for Sunday Sales, addressed Council utilizing several handout [copies filed with these minutes] requesting that council initiate an ordinance that would place on the November 2014 general election ballot a referendum question to allow for Sunday alcohol sales in Oconee County.

County Wide Sunday Alcohol Sales

Mr. Berry Nichols addressed Council voicing his opposition to council initiating an ordinance that would place on the November 2014 general election ballot a referendum question to allow for Sunday alcohol sales in Oconee County.

First & Final Reading of the Following Proclamations

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Proclamation 2014-01** “A PROCLAMATION HONORING MR. HENRY “HANK” FIELD, JR.” on first and final reading.

Mr. Field accepted the Proclamation and thanked Council. Mr. Thrift thanked Mr. Field for his many years of dedicated service.

Administrator’s Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public’s benefit specifics related to the following matters before Council at this meeting:

- Public Hearings & Third and Final Reading for Ordinances
- First Reading for Ordinances
- First & Final Reading for Resolutions: Requested removal of R2014-06 from consideration at this meeting to allow for additional work
- Board/Commission Appointments
- Executive Session

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to remove **Resolution R2014-06** from consideration at this meeting.

Mr. Moulder additionally outlined his request that Council ratify the Chairman’s authorization for an emergency expenditure for Rock Quarry for an equipment repair in the amount of \$54,000. Discussion followed.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to ratify the chairman’s approval for an emergency expenditure for Rock Quarry Equipment repairs in the amount of \$54,000.

Public Hearing and Third & Final Reading of the Following Ordinances

Ordinance 2014-04 “AN ORDINANCE DISESTABLISHING AND DISSOLVING THE OCONEE COUNTY ECONOMIC DEVELOPMENT COMMISSION AND APPROVING AN INTERLOCAL AGREEMENT WITH THE OCONEE ECONOMIC ALLIANCE; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance. No citizens addressed Council regarding this ordinance at this meeting.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2014-04**.

Ordinance 2014-05 "A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,100,000 SPECIAL SOURCE REFUNDING REVENUE BOND, SERIES 2014, OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO"

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance. No citizens addressed Council regarding this ordinance at this meeting.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding **Ordinance 2014-05**.

Third & Final Reading of the Following Ordinances

Ordinance 2014-04 "AN ORDINANCE DISESTABLISHING AND DISSOLVING THE OCONEE COUNTY ECONOMIC DEVELOPMENT COMMISSION AND APPROVING AN INTERLOCAL AGREEMENT WITH THE OCONEE ECONOMIC ALLIANCE; AND OTHER MATTERS RELATED THERETO"

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2014-04** on third and final reading.

Ordinance 2014-05 "A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,100,000 SPECIAL SOURCE REFUNDING REVENUE BOND, SERIES 2014, OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO"

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to approve **Ordinance 2014-05** on third and final reading.

First Reading of the Following Ordinances

Ordinance 2014-06 [title only] "AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK (PROJECT STAR) IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/ BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOB TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE IN LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SENECA RELATED TO THE CREATION OF THE PARK WITHIN THE CITY LIMITS OF THE CITY OF SENECA AND THE DISTRIBUTION OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES DUE TO OCONEE COUNTY FROM THE PARK, AND THE PAYMENT BY OCONEE COUNTY TO THE CITY OF SENECA OF AN ECONOMIC DEVELOPMENT GRANT, SOLELY FOR THE USE OF THE CITY OF THE SENECA FOR SERENE HOSPITALITY, LLC; AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY AND SERENE HOSPITALITY, LLC; AND OTHER MATTERS RELATED THERETO, INCLUDING, WITHOUT LIMITATION, THE AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT IN FAVOR OF SERENE HOSPITALITY, LLC"

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Ordinance 2014-06** on first reading in title only.

First Reading of the Following Resolutions

Resolution R2014-06 “A RESOLUTION AUTHORIZING THE ACCEPTANCE BY OCONEE COUNTY OF CERTAIN REAL PROPERTY, DEDICATED BY THE WORTHINGTON HYDE PARTNERS, II, LP, FOR CERTAIN SPECIFIED PUBLIC PURPOSES, ONLY; AND OTHER MATTERS RELATED THERETO”

This matter was removed from consideration *[see page 2 of these minutes]*.

Resolution R2014-07 “A RESOLUTION IN SUPPORT OF THE OCONEE MEDICAL CENTER (OMC) BOARD, MANAGEMENT AND STAFF, AND OMC’S ONGOING EXPLORATION OF WAYS TO ENSURE ITS FUTURE ABILITY TO FULFILL ITS MISSION”

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to approve **Resolution 2014-07** on first and final reading.

Mr. Thrift noted for the record that he initiated this resolution having met with the hospital CEO, Ms. Jeanne Ward, several weeks ago. He provided a handout [copy filed with these minutes] outlining the historical relationship between the hospital and the county. Lastly, he shared the personal story of his heart attack and the excellent care he received at both Oconee Medical Center and Greenville Hospital System facilities.

Discussion Regarding Action Items:

None Scheduled for this meeting.

Old Business:

Sunday Alcohol Sales: Request for Ordinance

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 to direct the County Attorney to draft an ordinance for first reading in April to have a referendum placed on the November 2014 ballot regarding Sunday alcohol sales.

Oconee Courthouse Ventures, LLC Extension Request

Mr. Moulder stated that Oconee Courthouse Ventures, LLC submitted a letter [copy filed with these minutes] requesting a six month extension to their lease. Council discussed the matter.

Mr. Corbeil made a motion, seconded by Mr. McCall, approved 4 – 0 to authorize the Administrator to execute a six month extension to the lease with Oconee Courthouse Ventures, LLC.

Local Government Fund [LGF]

Mr. Dexter noted that LGF continues to be underfunded by the state legislature. He asked that citizens contact the local Delegation to request full funding for the LGF. A slide was provided with contact information [copy filed with these minutes] for the three local delegation officials: Senator Thomas Alexander; Representative Bill Sandifer, and Representative Bill Whitmire.

Additionally, as the chair of the Budget, Finance & Administration Committee, Mr. Dexter asked that the Council Chairman draft a letter to the Delegation requesting increased or full funding for the LGF. Council concurred with this request.

New Business:

SC Budget Priviso 110

Mr. Dexter outlined concerns that the Ways and Means Committee adopted an amended Proviso 110.pfp, which now reads: *"A political subdivision shall be prohibited from charging a taxpayer a processing fee for the payment of taxes by credit card. If a political subdivision accepted credit card payments in the previous fiscal year, they must continue to accept credit cards in the current fiscal year. If a political subdivision violates this prohibition, it shall have its Aid to Subdivisions allocation reduced by an amount equal to the total of all processing fees charged to the taxpayers for that fiscal year."* He noted that this prohibition will have a considerable fiscal impact and will reduce revenue available to provide services to Oconee County citizens. Again, he asked citizens to contact the local Delegation requesting that this proviso be removed.

Board/Commission Appointments

Anderson-Oconee-Pickens Behavioral Health Services Commission

Noting no questionnaires on file for consideration; Mr. Thrift deferred this matter.

Executive Session:

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 4 – 0 to enter into Executive Session for the purpose of receiving legal advice regarding a litigation matter.

Council entered Executive Session at 6:57 p.m.

Council returned from Executive Session at 7:54 p.m. on a motion by Mr. Dexter, seconded by Mr. McCall, approved 4 – 0.

Mr. Thrift stated that no action was taken in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 4 – 0, regarding the McMahan suit; to direct the Administrator to work with the County Attorney to identify a compromise agreement to end the litigation or if unsuccessful to litigate a motion to alter or amend.

Adjourn

Mr. Dexter made a motion, approved unanimously 4 - 0, to adjourn at 7:55 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council